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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

#### PART IV-B

Rules and Orders (Other than those published in Parts I, I-A, and I-L) made  
by the Government of Gujarat under the Gujarat Acts

#### EDUCATION DEPARTMENT

#### NOTIFICATION

Sachivalaya, Gandhinagar, 1<sup>st</sup> August, 2024

#### GUJARAT SECONDARY AND HIGHER SECONDARY EDUCATION ACT, 1972.

**No.GH/SH/41/2024/ED/MIS/e-file/3/2024/0482/G:** - In exercise of the powers conferred by section 35 of the Gujarat Secondary and Higher Secondary Education Act, 1972 (Guj. 18 of 1973), in the supersession of all the rules made in this behalf, the Government of Gujarat hereby makes the following rules for the selection of Teachers of Registered Private Secondary and Higher Secondary Schools, namely: -

1. **Short title and commencement:-**

- (1) These rules may be called the Teachers of Registered Private Secondary and Higher Secondary Schools (Procedure for Selection) Rules, 2024.
- (2) They shall come into force from the date of their publication in the *Official Gazette*.

2. **Definitions:-**

In these rules, unless the context otherwise requires -

- (a) "Government" means Government of Gujarat;
- (b) "Old teacher" means the regular teacher who is already in the service of the Registered Private Secondary and Higher Secondary School and possesses five years' experience as teacher,
- (c) "Registered Private Schools" means the Non-Government, Secondary and Higher Secondary Schools receiving grant-in-aid from the Government;
- (d) "Selection committee" means the committee constituted under rule 3;
- (e) "Teachers Aptitude Test (TAT)" means the Teachers Aptitude Test conducted by the State Examination Board, Gandhinagar with two tier examination format.

**3. Constitution of Selection Committee:-**

- (1) There shall be constituted a Selection Committee known as "The Gujarat State Secondary and Higher Secondary School Educational Staff Recruitment Selection Committee".
- (2) The Selection Committee shall consist of the following members, namely:-

**TABLE**

<b>Sr. No.</b>	<b>Officer</b>	<b>Designation in committee</b>
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>
1	The Commissioner of Schools, Gujarat State, Gandhinagar.	Chairman, <i>Ex-officio</i> ;
2	Additional/Joint/Deputy Secretary (Secondary Education), Education Department, Sachivalay, Gandhinagar.	Member
3	The Secretary, the Gujarat Secondary and Higher Secondary Education Board, Gandhinagar.	Member
4	Two eminent educationists nominated by the Government.	Member
5	A representative of recognized association of school management, nominated by the Government.	Member
6	The Joint Director of Schools, Gujarat State, Gandhinagar.	Member- Secretary

**4. Selection of Teachers:-**

The Selection Committee shall select persons for appointment on the posts of Teachers in the Registered Private Schools from amongst the persons who are qualified to be appointed as such in accordance with the provisions of these rules.

**5. Duties and functions of the Selection Committee:-**

- (1) The Selection Committee shall –
  - (a) ascertain from the District Education Officers the number of posts of Teachers, for which recruitment is to be made. However, it shall be incumbent upon the District Education Officers to send the requisition for filling up of vacant posts of Teachers to the Selection Committee;
  - (b) invite applications by an advertisement in the widely circulated Gujarati or English newspapers in the State;
  - (c) Prescribe to instruction regarding the process of recruitment;
  - (d) scrutinize applications received;
  - (e) recommend the names of the selected candidates for appointment to the concerned District Education Officers and the management of the concerned schools;
  - (f) maintain records of recommendations;
  - (g) submit annual reports of the activities undertaken by it to the Government in Education Department;
  - (h) be responsible for such other functions as may be entrusted by the Government from time to time.

**6. Headquarters of Selection Committee:-**

The Headquarter of the Committee shall be at Gandhinagar.

**7. Eligibility for appointment:-**

To be eligible for appointment as Teacher, a candidate shall possess –

- (a) requisite educational qualifications and age in accordance with the provisions of the Gujarat Secondary and higher secondary Education Regulations, 1974; and

- (b) basic knowledge of computer application as prescribed in Gujarat Civil Services Classification and Recruitment (General) Rules 1967:

Provided that the age limit shall be relaxed in favor of a candidate belonging to the Scheduled Castes, Scheduled Tribes, Socially and Educationally Backward Class, Economically Weaker Sections and women in accordance with the provision of the Gujarat Civil Services Classification and Recruitment (General) Rules 1967.

**8. Preparation of requisitions:-**

- (1) The Principal of secondary school or higher secondary school shall send requisition to the District Education Officer twice in a year before 15<sup>th</sup> June and 15<sup>th</sup> November showing total number of vacancies resulted on account of any reason whatsoever including the newly created posts and the vacancies likely to occur in next academic years due to retirement, resignation, etc. While calculating the number of vacancies, the ratio 1:3 of old Teachers and Shikshan Sahayak shall be considered.
- (2) The number of posts to be reserved for the candidates belonging to Scheduled Casts, Scheduled Tribes, Socially and Educationally Backward Class, Economically Weaker Sections and for women and physically handicapped shall be calculated in accordance with the Government orders.

**9. Validity period of Marks secured in TAT Examination.**

The marks secured by the concerned candidate in Teachers Aptitude Test(TAT), shall be valid till announcement of the result of the next Teachers Aptitude Test (TAT).

**10. Application for the post of Teacher:-**

- (1) The candidate who has secured at least 60% marks in the mains examination of Teachers Aptitude Test (TAT), shall be eligible to apply for the post of Teacher.
- (2) The candidate who intends to apply for the post of a Teacher shall submit an application to the Selection Committee in such form, alongwith such fees and within such time limit as may be specified in the advertisement.
- (3) The fee once paid shall not be refunded or held over for the subsequent examinations.
- (4) The request for withdrawal of application form and refund of fees shall not be entertained in any circumstances.

**11. Scrutiny of the applications:-**

The applications shall be scrutinized by the Selection Committee and Selection Committee may adopt the procedure for such scrutiny as it deems fit.

**12. Preparation of select list:-**

- (1) The Selection Committee shall prepare a subject wise list on the basis of marks secured by the concerned candidate in mains examination of the Teachers Aptitude Test.
- (2) The Selection Committee shall prepare a separate list of successful candidates belonging to the Scheduled Castes, Scheduled Tribes, Socially and Educationally Backward Class, Economically Weaker Sections, women and Physically Handicapped to the extent of the number of vacancies reserved for such categories:

Provided that where the requisite number of candidates, belonging to Scheduled Castes, Scheduled Tribes, Socially and Educationally Backward Class, Economically Weaker Sections, women and Physically Handicapped or, as the case may be Nomadic Tribes and Denotified Tribes, could not qualify on the basis of the qualifying aggregate marks fixed for general category, the selection committee may relax the qualifying aggregate marks to make up the deficiency in these reserved posts.

- (3) The Selection Committee shall prepare a waiting list of the candidates consisting of 20% of the successful candidates prepared under sub-rules (1) and (2). The waiting list shall also be prepared subject-wise and category wise.
- (4) The waiting lists referred to in sub-rule (3) shall be operative for a period of two years from the date of publication of the **select list** or till the date of publication of the next examination, whichever is earlier.

- (5) The waiting list may be operative in the following circumstances:-
- (i) If the post of Secondary teacher or higher secondary teacher is not filled up due to non joining of the selected candidate in the prescribed time limit.
  - (ii) If the selected candidate is disqualified for appointment for any of the reasons.

**13. Select list of the qualified candidates: -**

- (1) The Selection Committee shall prepare the select list in three parts as under:
- Part I. The select list of the qualified candidates shall be arranged in the order of merit specifying their names, application numbers and marks obtained by the candidates,
- Part II. The waiting list in accordance with the provisions of sub-rule (3) of rule 12, in order of merit specifying their names, application numbers and marks obtained by the candidates;
- Part III. The list of unsuccessful candidates who are not included in part-I and part-II specifying their names, application number and marks obtained by the candidates.
- (2) The Selection Committee shall display each part of the result on the website.
- (3) The Selection Committee shall communicate result to the qualified candidates individually in the manner as may be decided by it. The Selection Committee shall not enter into any further correspondence with any candidate in this regard after communication of the result.

**14. Appointment of candidate:-**

- (1) The selection committee shall call the selected candidates to verify the certificates of educational qualifications, birth date, caste certificate and such other documents as may be necessary. The verification of the certificates shall be completed within two months from the date of declaring of select list.
- (2) The Selection Committee shall convey the list of vacant posts to be selected candidate and invite options from such candidate. The Selection Committee shall offer a place of posting to the selected candidate taking into consideration his options and his place in the select list in a camp held for the purpose.
- (3) If the selected candidate fails to appear on the specified date and time for verification of certificates or at the camp held for the purpose of posting, he shall not be eligible for selection and his name shall be deleted from the select list. The selection committee shall not enter into any further correspondence in this regard.
- (4) The allotment letter for posting of the selected candidate shall be issued by the Selection Committee in the camp itself, and a copy thereof shall be sent to the concerned registered private school for appointment of the concerned candidate and a copy of the same shall also be sent to the concerned District Education Officer for monitoring and for appropriate action for implementation of the allotment letter.
- (5) The concerned registered private school shall issue an appointment letter within seven days from the date of receipt of the allotment letter from the Selection Committee.
- (6) The selected candidate shall require to join the concerned school within seven days from the date of receipt of the appointment letter.
- (7) The concerned management board of the Registered Private School and the Principal of the Registered Private School and concerned candidate shall intimate to the Selection Committee and concerned District Education Officer after such candidate has joined the duty.
- (8) If the concerned management board of the registered private school does not allow the selected candidate to resume duty within the prescribed time limit in any manner, the Selection Committee shall be at liberty to take necessary decision regarding appointment of such candidate and the selection committee shall recommend Gujarat Secondary and Higher Secondary Education Board to cancel registration of such school.

**15. Decision of the Selection Committee to be final:-**

The application of the candidate shall not be considered for the post unless the Selection Committee is satisfied that the candidate is eligible in all respects and has complied with all the requirements and the decision of the Selection Committee as to the eligibility of a candidate for candidature shall be final.

**16. No right to appointment:-**

Mere inclusion in the select list shall not by itself confer upon a candidate any right to appointment and no candidate shall be appointed to the post unless the Selection Committee is satisfied after such inquiry as may be considered necessary that the candidate is suitable in all respect for appointment to the post of Teacher.

**17. Expenditure and bank account:-**

- (1) The Selection Committee shall open a personal ledger account in a nationalized bank.
- (2) The Chairman of the Selection Committee shall be empowered to incur the expenditure for the purpose of discharging the functions under these rules.
- (3) If the total expenditure for selection of the candidates exceeds the amount received by way of application fees, then such exceeded amount of expenditure shall be borne by the Government.

**18. Disqualification for appointment on the ground of plural marriage:-**

- (1) No person:-
  - (i) who has entered into or contracted a marriage with a person having spouse living;
  - (ii) Who has a spouse living has entered into or contracted a marriage with any person;shall be eligible for appointment to the said post.

Provided that if the Government is satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and there are other grounds to do so, Government may exempt any person from the operation of this rule.

- (2) The candidate shall declare in the application form whether he or she, as the case may be married and, in the case of male candidate he has more than one wife living and in the case of female candidate whether she has married to man who has already another wife living.

**19. Disciplinary Action:-**

A candidate who is or has been declared by the selection committee to be guilty of:-

- a) obtaining support for his candidature by any means; or
- b) impersonating; or
- c) procuring impersonation by any person, or
- d) submitting fabricated documents or document which have been tempered with or
- e) making statement which are incorrect or false or suppressing material information; or
- f) resorting to any other irregular or improper means in connection with his candidature for his selection; or
- g) misbehaving in any other manner during selection process, or
- h) harassing or doing bodily harm to the staff employed by Selection Committee, or
- i) attempting to commit or, as the case may be abetting the of all or any of the acts specified in the foregoing clauses;

Shall be disqualified for the appointment of Teacher, as the case may be, for a period which may extend to five years.

**20. Probation:-**

The selected candidate appointed on the concerned post shall be on probation as specified in rule 22 of the Gujarat Secondary and higher Secondary Education Regulations, 1974.

**21. Medical examination:-**

A candidate selected for appointment shall submit a medical certificate of fitness as provided in rule 21 of the Gujarat Secondary Education Regulations, 1974.

By order and in the name of the Governor of Gujarat,

**HITESH GOHIL,**

Deputy Secretary to Government.

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